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FOURTH: That George D. Thomas, another of the children and heirs at law of Samuel Thomas, departed this life, unmarried and intestate, in the year 1927, whereupon his one-eighth interest in the aforesaid real estate descended unto the remaining living children, namely, Bruce V. Thomas, Milton F. Thomas, Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas, May I. Thomas and Hattie C. Michael.

FIFTH: That Milton F. Thomas, one of the heirs at law and children of Samuel Thomas, departed this life in the year 1940, leaving as his only heirs at law his widow, Emma S. Thomas, to whom one-third of his interest descended, and his daughter, Carrie S. Bartlett, to whom two-thirds of his interest descended. That the said Emma S. Thomas departed this life intestate in the year 1942, leaving as her only heir at law, her daughter, Carrie S. Bartlett, to whom her interest in the aforesaid real estate descended.

SIXTH: That Hattie C. Michael departed this life in August, 1947, intestate and a widow, whereupon her interest in the aforesaid real estate descended to her only child and heir at law, namely, Preston Michael, the respondent herein.

SEVENTH: That Bruce V. Thomas departed this life in February, 1949, intestate and unmarried, whereupon his interest in the aforesaid real estate descended unto his brothers and sisters then living, namely, Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas and May I. Thomas.

EIGHTH: That by deed bearing date on the 27th day of October, 1949, and recorded in Liber No. 481, Folio 496, one of the Land Records of Frederick County, the aforesaid Bennie R. Thomas, unmarried, Annie A. Thomas, unmarried, Lottie V. Thomas, unmarried, and May I. Thomas, unmarried, conveyed all their right, title and interest in and to the aforesaid parcel of land unto Helen F. Mock, a certified copy of which deed is herewith filed and marked "Complainant's Exhibit No. 1", and that the said Helen F. Mock did by deed bearing date on the 27th day of October, 1949, and recorded in Liber No. 481, Folio 497, one of the Land Records of Frederick County, convey all of her interest in and to the aforesaid real estate unto the said Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas and May I. Thomas, as joint tenants and not as tenants in common, a certified copy of which deed is herewith filed and marked "Complainant's Exhibit No. 2".